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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 20277  
 Daisaku HORIE : Confirmation Number: 5612  
 Application No.: 09/940,623 : Tech Center Art Unit: 2621  
 Filed: August 29, 2001 : Examiner: Dennis Rosario

For: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD, AND COMPUTER READABLE RECORDING MEDIUM RECORDING IMAGE PROCESSING PROGRAM FOR PROCESSING IMAGE OBTAINED BY PICKING UP OR READING ORIGINAL

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

**Mail Stop AF**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

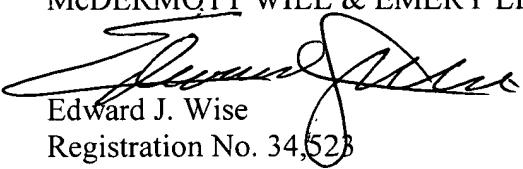
Applicant hereby appeals to the Board of Appeals from the decision dated February 22, 2005 of the Primary Examiner finally rejecting claims 17, 18, 20-23, 25-29, 31 and 32.

Appeal Fee: \$ 500.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No. 500417.
- Check Enclosed.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

  
 Edward J. Wise  
 Registration No. 34,523

08/23/2005 JADDO1 00000164 500417 09940623  
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600 13<sup>th</sup> Street, N.W.  
 Washington, DC 20005-3096  
 Phone: 202.756.8000 EJW:cac  
 Facsimile: 202.756.8087  
 Date: August 22, 2005

**Please recognize our Customer No. 20277  
 as our correspondence address.**